

## REMARKS

### INTRODUCTION

In accordance with the foregoing, claims 22 and 46 have been amended. Claims 1-21, 26-45 and 48-51 have been cancelled. Claims 22, 23, 25, 46 and 47 are pending and under consideration.

### CLAIM OBJECTION

Claim 46 was objected to because of an informality. Appropriate correction has been made to claim 46 in accordance with the Examiner's suggestion.

Withdrawal of the foregoing objection is requested.

### CLAIM REJECTIONS – 112

Claims 22, 23 and 25 were rejected under 35 USC 112, second paragraph, as being indefinite. Appropriate correction has been made to claim 22 to clarify that the magnetic circuit consists of a single pair of unipolar magnetized magnets positioned on the base to face each other at one side of the objective lens, and a coil assembly mountable on the lens holder between the pair of unipolar magnetized magnets.

Withdrawal of the foregoing rejections is requested.

### CLAIM REJECTIONS – 102

Claims 22, 23, 25, 46 and 47 were rejected under 35 USC 103(a) as being unpatentable over Ikegame et al. (US 5,208,703) (hereinafter "Ikegame").

#### Claims 22, 23 and 25

Amended claim 22 recites: "...wherein the magnetic circuit consists of a single pair of unipolar magnetized magnets positioned on the base to face each other at one side of the objective lens, and a coil assembly mountable on the lens holder between the pair of unipolar magnetized magnets..." Claim 22 has been amended to properly define the scope of the claim.

The Office Action relies on Figure 7 of Ikegame to show this feature of claim 1. However, it is respectfully submitted that in contrast to the magnetic circuit recited in claim 22, the magnetic circuit of Ikegame does not only consist of a single pair of unipolar magnetized magnets, but rather includes one pair of magnets 12 and then two pairs of magnets 13 for a

total of six unipolar magnets. For exemplary purposes only, please compare any of Figures 6-8 of Ikegame with any of Figures 2, 4, 8 or 13 of the present application to see the difference.

Specifically, as shown in Figure 8 of Ikegame, the structure of Ikegame is directed providing a structure having six poles on each side of the yoke 10 rather than the two poles on each side provided by only having a single pair of unipolar magnets as recited in claim 22.

This technical feature of claim 22 of only a single pair of unipolar magnetized magnets positioned on the base to face each other at one side of the objective lens reduces the number of separate parts defect rates and further provides optimal linearity because the linearity is reduced with an increase of a number of polarization areas applied onto one surface.

Claims 23 and 25 depend on claim 22 and are therefore believed to be allowable for at least the foregoing reasons.

Withdrawal of the foregoing rejection is requested.

#### **Claims 46 and 47**

Amended claim 46 recites: "...a magnetic circuit consisting of: a pair of unipolar magnetized magnets positioned on the base to face each other at one side of the objective lens..." Claim 46 has been amended to correct an informality.

As discussed above with respect to claim 22, the magnetic circuit consists of a single pair of unipolar magnetized magnets, and therefore it is respectfully submitted that claim 46 patentably distinguishes over the magnetic circuit of Ikegame, which further includes three pairs of magnets (one pair of 12, two pairs of 13).

Claim 47 depends on claim 46 and is therefore believed to be allowable for at least the foregoing reasons.

Withdrawal of the foregoing rejection is requested.

**CONCLUSION**

There being no further outstanding objections or rejections, it is submitted that the application is in condition for allowance. An early action to that effect is courteously solicited.

Finally, if there are any formal matters remaining after this response, the Examiner is requested to telephone the undersigned to attend to these matters.

If there are any additional fees associated with filing of this Amendment, please charge the same to our Deposit Account No. 19-3935.

Respectfully submitted,

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